

AMENDED IN ASSEMBLY JANUARY 12, 2012

AMENDED IN ASSEMBLY JANUARY 4, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1047

Introduced by Assembly Member Jeffries

February 18, 2011

~~An act to add Section 2933.5 to the Vehicle Code, relating to vehicles.~~
An act to amend Section 2814.1 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1047, as amended, Jeffries. Vehicles: motorcycle safety.

Existing law establishes the motorcyclist safety program in the California Department of *the California* Highway Patrol, to be administered by the commissioner *of the department*. Existing law authorizes the commissioner, through contracts with other public agencies or with private entities, to fund projects to enhance motorcycle operation or safety such as rider training programs, to sponsor and coordinate efforts to increase motorists' awareness of motorcyclists, to sponsor research on communicating motorcyclist safety to highway users, and to adopt standards relating to a novice motorcyclist training program.

This bill would expressly prohibit ~~a state and~~ local law enforcement ~~agency~~ *agencies* receiving grant money for a ~~motorcyclist~~ *motorcycle* safety program from using that money for the implementation of motorcycle only checkpoints.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares all of the*
2 *following:*

3 *(a) Other states have established motorcycle only checkpoints*
4 *to address the growing problem of increased motorcycle fatalities.*

5 *(b) It is the intent of the Legislature to prohibit the use of*
6 *National Highway Traffic Safety Administration (NHTSA) grant*
7 *funds for the establishment of motorcycle only checkpoints in*
8 *California and that this prohibition is in no way intended to affect*
9 *the use of NHTSA grant funds to establish or conduct other*
10 *enforcement programs conducted by state or local law enforcement*
11 *agencies.*

12 *SEC. 2. Section 2814.1 of the Vehicle Code is amended to read:*

13 2814.1. (a) A board of supervisors of a county may, by
14 ordinance, establish, on highways under its jurisdiction, a vehicle
15 inspection checkpoint program to check for violations of Sections
16 27153 and 27153.5. The program shall be conducted by the local
17 agency or department with the primary responsibility for traffic
18 law enforcement.

19 (b) A driver of a motor vehicle shall stop and submit to an
20 inspection conducted under subdivision (a) when signs and displays
21 are posted requiring that stop.

22 (c) A county that elects to conduct the program described under
23 subdivision (a) may fund that program through fine proceeds
24 deposited with the county under Section 1463.15 of the Penal
25 Code.

26 (d) *State and local law enforcement agencies receiving National*
27 *Highway Traffic Safety Administration (NHTSA) grant money for*
28 *a motorcycle safety program pursuant to this article shall not use*
29 *the money for the implementation of motorcycle only checkpoints.*

30 ~~SECTION 1. Section 2933.5 is added to the Vehicle Code, to~~
31 ~~read:~~

32 ~~2933.5. A local law enforcement agency receiving grant money~~
33 ~~for a motorcycle safety program pursuant to this article shall not~~
34 ~~use the money for the implementation of motorcycle only~~
35 ~~checkpoints.~~